

EXHIBIT 5

Representing Management Exclusively in Workplace Law and Related Litigation



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*through an affiliation with Jackson Lewis P.C., a Law Corporation

June 21, 2018

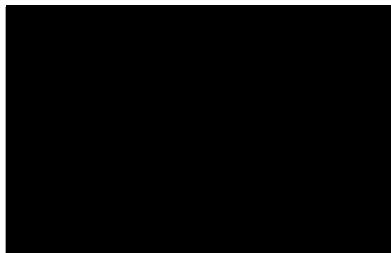
VIA U.S. MAIL

Microsoft Corporation
Attn: Online Services Custodian of Records
One Microsoft Way
Redmond, WA 98052-6399

Re: Tesla, Inc. v. Tripp, Case No. 3:18-cv-00296-LRH-VPC (D. Nev.)

To Whom It May Concern,

I represent Tesla, Inc. (“Tesla”) in litigation against one of Tesla’s former employees, Martin Tripp. On June 20, 2018, Tesla filed a Complaint in the United States Federal District Court for the District of Nevada alleging that Mr. Tripp unlawfully disclosed Tesla’s confidential and proprietary information to third parties and also hacked into Tesla’s manufacturing system, extracted data, and then shared that data with third parties. Mr. Tripp explained that he did so using Microsoft, OneDrive, and/or SharePoint account. Tesla believes those accounts are associated with some or all of the following information:



Tesla has reason to believe that Mr. Tripp may be in the process of deleting information from his Microsoft, OneDrive, or SharePoint accounts that is relevant to Tesla’s claims against him. It is my understanding that Microsoft has the ability to preserve all information associated with Microsoft, OneDrive, or SharePoint accounts, including—by way of illustration only—messages, Microsoft Excel files, emails, photographs, videos, documents, and other forms of electronically stored information. Tesla requests that Microsoft preserve, and otherwise prevent the deletion of, any information associated with any of Mr. Tripp’s Microsoft, OneDrive, or SharePoint accounts, pending Tesla’s imminent ability to obtain that information through legal process.

Microsoft Corporation

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Please be advised that Tesla intends to issue a subpoena to Microsoft for certain records that are relevant to this matter as soon as it is permitted to do so by applicable court rules. It is imperative that Mr. Tripp not be permitted to destroy the evidence of the very serious misconduct alleged in Tesla's Complaint, a copy of which is attached as Exhibit 1 to this letter.

Tesla greatly appreciates your assistance in this matter.

Sincerely,



Joshua A. Sliker, Esq.

Enclosure